

Message Text

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PAGE 01 USUN N 00228 242124Z

63

ACTION IO-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02

NSAE-00 NSC-05 PA-02 RSC-01 PRS-01 SP-02 SS-15

USIA-15 AF-06 ARA-10 EA-10 EUR-12 NEA-09 SAJ-01 OMB-01

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E.O. 11652: N/A

TAGS: UNDP EAID

SUBJ: 19TH UNDP GOVERNING COUNCIL--STANDARD

AGREEMENT WITH GOVERNMENTS (ITEM 6)

1. LONGER THAN EXPECTED DISCUSSION OF DP/86, WHICH SKETCHES BACKGROUND AND STATUS OF REFORMULATION STANDARD OPERATIONAL AGREEMENT WITH GOVERNMENTS, TOOK PLACE JAN 23 AS RESULT LENGTHY OPENING CUBAN INTERVENTION. CUBAN DEL APPEARED MIFFED THAT CUBA SPECIFICALLY MENTIONED IN DP/86, CLAIMING PATENT RIGHTS QUESTION REFERRED TO WAS MATTER BETWEEN UNDP AND CUBA ONLY. THE GENERAL QUESTION OF PATENT RIGHTS WAS HOWEVER ONE OF THE IMPORTANT MATTERS WHICH SHOULD BE DISCUSSED IN GOVERNING COUNCIL BEFORE STANDARD AGREEMENT NEGOTIATIONS CONTINUED, CUBAN REP SAID. CUBAN DEL ALSO CALIMED CONTRADICTIONS BETWEEN DRAFT STANDARD AGREEMENT AND CONSENSUS E.G., PARA 4, ARTICLE 3 OF AGREEMENT CONCERNING APPOINTMENT OF DIRECTORS NOT IN CONFORMITY WITH PARA 46 OF CONSENSUS; ALSO ASSERTED STANDARD AGREEMENT PROVISION CONFLICTS WITH PARA 63 OF CONSENSUS ON QUESTION OF CHANNELING REQUESTS THROUGH RESREPS. CUBANS SAID STANDARD AGREEMENT RESTRICTED WILL OF GOVERNMENTS IN THIS RESPECT.

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PAGE 02 USUN N 00228 242124Z

2. CUBA SUPPORTED BY POLAND AND USSR. SOVS ASSERTED ITEM AT HAND WAS NOT A TECHNICAL AGREEMENT BUT RATHER QUESTION OF RELATIONSHIP OF POLITICAL NATURE. ADMINIS-TRATOR SHOULD NOT ENTER INTO ADDITIONAL AGREEMENTS UNTIL GOVERNING COUNCIL HAD DISCUSSED MATTER FULLY.

3. ASSISTANT ADMINISTRATOR OLVER DESCRIBED STANDARD AGREEMENT AS AN OPERATIONAL TOOL WHICH OUTLINES HOW UNDP WOULD OPERATE IN A GIVEN COUNTRY. DESIGNED TO SIMPLIFY PROJECT NEGOTIATIONS WITH GOVERNMENTS AND TO FACILITATE FIELD MATTERS CURRENT DISCUSSIONS AROSE OUT OF EXPRESSED CONCERNS OF CUBANS. ADMINISTRATOR WILL CIRCULATE FULL TEXT OF AGREEMENT WITH COMMENTARY WITHIN FEW WEEKS AND PROPOSED CONTINUING DISCUSSION IN JUNE.

4. US. DEL SOUGHT AND RECEIVED ASSURANCES FROM ADMINIS-TRATION THAT ONGOING NEGOTIATIONS WOULD NOT BE HELD UP AND THAT POSTPONEMENT WOULD NOT AFFECT PROJECT DELIVERY. OLVER STATED UNDP MACHINERY WAS NOT GOING TO STOP. ANY MODIFICATIONS MADE TO STANDARD AGREEMENT COULD BE APPLIED TO ALL GOVERNMENTS IN AGREE-MENT. STANDARD AGREEMENT A "LIVING, NOT FROZEN" DOCUMENT.

5. BRAZILIAN REP STATED HIS GOVERNMENT IN FINAL STAGES OF DISCUSSIONS WITH UNDP ON STANDARD AGREEMENT AND HOPED TO SIGN IT AS SOON AS POSSIBLE.

6. COUNCIL AGREED TO NOTE DP/86 AND CONSIDER MATTER NEXT SESSION ON BASIS OF ADDITIONAL DOCUMENTATION TO BE PROVIDED AND COMMENTS DURING CURRENT DEBATE.
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